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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,) No. CR 10-0348 MHP
17 Plaintiff,)
18 v.)
19 CARLOS ASPRILLA,)
20 Defendant.)
21

22 **[PROPOSED] ORDER EXCLUDING
23 TIME FROM NOVEMBER 15, 2010 TO
24 JANUARY 10, 2011**

25 The parties appeared before the Honorable Marilyn Hall Patel on November 29, 2010 for
26 a status conference. With the agreement of counsel for both parties and the defendant, the Court
27 found and held as follows:

28 1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C.
29 § 3161, from November 15, 2010 to January 10, 2011. Failure to grant the requested
30 continuance would unreasonably deny defense counsel reasonable time necessary for effective
31 preparation, taking into account the exercise of due diligence and the need for defense counsel to
32 supplement her motion to suppress.

33 2. Given these circumstances, the Court found that the ends of justice served by
34 excluding the period from November 15, 2010 to January 10, 2011, outweigh the best interest of

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1 the public and the defendant in a speedy trial and filing of an indictment or information. 18
2 U.S.C. § 3161(h)(7)(A).

3 3. Accordingly, and with the consent of the defendant, the Court ordered that the period
4 from November 15, 2010 to January 10, 2011, be excluded from Speedy Trial Act calculations
5 under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv). In addition, the Court held that time is properly
6 excluded during the pendency of the defendant's motion to suppress. *See* 18 U.S.C.
7 § 3161(h)(1)(D).

8
9 IT IS SO STIPULATED.

10
11 DATED: November 29, 2010

12 _____/s/
13 DEBORAH LEVINE
14 DATED: November 29, 2010 _____/s/
15 BRIAN C. LEWIS
16 Assistant United States Attorney

17 IT IS SO ORDERED.

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19
20 DATED: 1/3/2011

